

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GLENN ARNOLD,

Petitioner,

Case No. 20-10871

v.

HON. MARK A. GOLDSMITH

JAMES CORRIGAN,¹

Respondent.

/

ORDER AMENDING CAPTION AND DISMISSING CASE WITHOUT PREJUDICE

This is a habeas case brought pursuant to 28 U.S.C. § 2254. The case was filed in 2020, in lieu of reopening a previously closed case, to allow Petitioner to proceed on an amended habeas petition after he apparently returned to the state courts to exhaust available remedies on additional issues (Dkt. 16). The new case was initially assigned to another judge in this district but reassigned to the original presiding judge in 2021 (Dkt. 17). Petitioner, however, never filed an amended habeas petition in the new case. In 2022, the Court issued an order requiring Petitioner to either file an amended habeas petition or move for a voluntary dismissal within 60 days (Dkt. 18), but that order was returned to the Court as undeliverable (Dkt. 19). Petitioner had not updated his contact information as required by the Court (Dkts. 6, 20). Petitioner has not taken any action to pursue this case in federal court since 2019 (Dkt. 15).

Accordingly, the Court dismisses without prejudice this case. Should Petitioner wish to seek federal habeas relief in this district, he must move to reopen this case and file an amended

¹ Petitioner is confined at the Chippewa Correctional Facility in Kincheloe, Michigan. See Offender Profile, Michigan Department of Corrections Offender Tracking Information System (“OTIS”), mdocweb.state.mi.us/OTIS2/otis2profile.aspx?mdocNumber=343958. Consequently, the proper respondent in this case is the warden at that facility who has custody of Petitioner. See 28 U.S.C. § 2243; 28 U.S.C. foll. § 2254, Rule 2(a); Fed. R. Civ. P. 81(a)(4). Accordingly, the Court amends the caption to name James Corrigan as the respondent.

habeas petition within 60 days of the filing date of this order. This case is closed.

SO ORDERED.

Dated: July 18, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge